

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF GEORGIA
2211 UNITED STATES COURTHOUSE
75 TED TURNER DRIVE, SW
ATLANTA, GEORGIA 30303-3361

JAMES N. HATTEN
DISTRICT COURT EXECUTIVE
AND CLERK OF COURT

DOCKETING SECTION
404-215-1655

June 10, 2021

Clerk's Office
U.S. Court of Appeals
Eleventh Circuit
56 Forsyth Street, NW
Atlanta, Georgia 30303

U.S.D.C. No.: 1:21-cv-1169-TCB

U.S.C.A. No.: 00-00000-00

In re: L. Lin Wood, Jr. v. Paula J. Frederick et al

Enclosed are documents regarding an appeal in this matter. Please acknowledge receipt on the enclosed copy of this letter.

Certified Notice of Appeal, Orders, Clerk's Judgment and Docket Sheet appealed enclosed.

_____ This is not the first notice of appeal. Other notices were filed on: .

There is no transcript.

_____ The court reporter is .

_____ There is sealed material as described below: .

_____ Other: .

_____ Fees paid electronically on .

_____ Appellant has been leave to proceed *in forma pauperis*.

_____ This is a bankruptcy appeal. The Bankruptcy Judge is .

_____ The Magistrate Judge .

The District Judge is Thomas W. Thrash, Jr.

_____ This is a **DEATH PENALTY** appeal.

Sincerely,

James N. Hatten
District Court Executive
and Clerk of Court

By: /s/P. McClam
Deputy Clerk

Enclosures

8months,APPEAL,CLOSED

U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:21-cv-01169-TCB

Wood v. Frederick et al

Assigned to: Judge Timothy C. Batten, Sr.

Case in other court: USCA- 11th Circuit, 21-11649-JJ

Cause: 42:1983 Civil Rights Act

Date Filed: 03/23/2021

Date Terminated: 06/09/2021

Jury Demand: Plaintiff

Nature of Suit: 440 Civil Rights: Other

Jurisdiction: Federal Question

Plaintiff

L. Lin Wood, Jr.

represented by **Ibrahim Reyes**

Reyes Lawyers, PA

236 Valencia Avenue

Coral Gables, FL 33134

305-218-0982

Fax: 305-445-1181

Email: ireyes@reyeslawyers.com

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

L. Lin Wood , Jr.

L. Lin Wood, P.C.

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LEAD ATTORNEY

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V.

Defendant

Paula J. Frederick

represented by **Patrick Nish Arndt**

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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Defendant

Connie S. Cooper

represented by **Patrick Nish Arndt**
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Robert L. Goldstucker
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Jeffrey R. Harris

represented by **Patrick Nish Arndt**
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ATTORNEY TO BE NOTICED

Robert L. Goldstucker
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ATTORNEY TO BE NOTICED

Defendant

Casey Carter Santas

represented by **Patrick Nish Arndt**
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Robert L. Goldstucker
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ATTORNEY TO BE NOTICED

Defendant

Patricia F. Ammari

represented by **Patrick Nish Arndt**
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Robert L. Goldstucker

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ATTORNEY TO BE NOTICED

Defendant

Kayla E. Cooper

represented by **Patrick Nish Arndt**
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Robert L. Goldstucker
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ATTORNEY TO BE NOTICED

Defendant

Elizabeth L. Fite

represented by **Patrick Nish Arndt**
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Robert L. Goldstucker
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ATTORNEY TO BE NOTICED

Defendant

Ellissa B. Haynes

represented by **Patrick Nish Arndt**
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Robert L. Goldstucker
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ATTORNEY TO BE NOTICED

Defendant

Margaret W. Sigman Puccini

represented by **Patrick Nish Arndt**
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Robert L. Goldstucker
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ATTORNEY TO BE NOTICED

Defendant

Sherry Boston

represented by **Patrick Nish Arndt**
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Robert L. Goldstucker
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ATTORNEY TO BE NOTICED

Defendant

Elizabeth Pool O'Neal

represented by **Patrick Nish Arndt**
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Robert L. Goldstucker
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ATTORNEY TO BE NOTICED

Defendant

David F. Richards

represented by **Patrick Nish Arndt**
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ATTORNEY TO BE NOTICED

Robert L. Goldstucker
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Jennifer D. Ward

represented by **Patrick Nish Arndt**
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ATTORNEY TO BE NOTICED

Robert L. Goldstucker
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Michael Fuller, Sr.

represented by **Patrick Nish Arndt**
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ATTORNEY TO BE NOTICED

Robert L. Goldstucker
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Jennifer Elizabeth Dunlap

represented by **Patrick Nish Arndt**
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ATTORNEY TO BE NOTICED

Robert L. Goldstucker
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Christian J. Steinmetz, III

represented by **Patrick Nish Arndt**
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ATTORNEY TO BE NOTICED

Robert L. Goldstucker

(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Brandon L. Peak

represented by **Patrick Nish Arndt**
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ATTORNEY TO BE NOTICED

Robert L. Goldstucker
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Tomieka Daniel

represented by **Patrick Nish Arndt**
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ATTORNEY TO BE NOTICED

Robert L. Goldstucker
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Christopher Sutton Connelly

represented by **Patrick Nish Arndt**
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Robert L. Goldstucker
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Melody Glouton

represented by **Patrick Nish Arndt**
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ATTORNEY TO BE NOTICED

Robert L. Goldstucker
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Dawn Jones

each in their individual and official capacities

represented by **Patrick Nish Arndt**
(See above for address)
ATTORNEY TO BE NOTICED

Robert L. Goldstucker
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Page	Docket Text
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03/23/2021	<u>1</u>	COMPLAINT with Jury Demand (Filing fee \$402, receipt number AGANDC-10846263) filed by L. Lin Wood, Jr. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Civil Cover Sheet)(dmb) Please visit our website at http://www.gand.uscourts.gov/commonly-used-forms to obtain Pretrial Instructions and Pretrial Associated Forms which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 03/25/2021)
03/25/2021	<u>2</u>	Electronic Summons Issued as to Patricia F. Ammari. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>3</u>	Electronic Summons Issued as to Sherry Boston. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>4</u>	Electronic Summons Issued as to Christopher Sutton Connelly. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>5</u>	Electronic Summons Issued as to Connie S. Cooper. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>6</u>	Electronic Summons Issued as to Tomieka Daniel. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>7</u>	Electronic Summons Issued as to Jennifer Elizabeth Dunlap. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>8</u>	Electronic Summons Issued as to Elizabeth L. Fite. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>9</u>	Electronic Summons Issued as to Paula J. Frederick. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>10</u>	Electronic Summons Issued as to Michael Fuller, Sr.. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>11</u>	Electronic Summons Issued as to Melody Glouton. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>12</u>	Electronic Summons Issued as to Jeffrey R. Harris. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>13</u>	Electronic Summons Issued as to Ellissa B. Haynes. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>14</u>	Electronic Summons Issued as to Dawn Jones. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>15</u>	Electronic Summons Issued as to Kayla E. Cooper. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>16</u>	Electronic Summons Issued as to Elizabeth Pool O'Neal. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>17</u>	Electronic Summons Issued as to Brandon L. Peak. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>18</u>	Electronic Summons Issued as to Margaret W. Sigman Puccini. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>19</u>	Electronic Summons Issued as to David F. Richards. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>20</u>	Electronic Summons Issued as to Casey Carter Santas. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>21</u>	Electronic Summons Issued as to Christian J. Steinmetz, III. (dmb) (Entered: 03/25/2021)

03/25/2021	<u>22</u>	Electronic Summons Issued as to Jennifer D. Ward. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>23</u>	ELEVENTH AMENDMENT TO GENERAL ORDER 20-01 RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONA VIRUS. Signed by Judge Thomas W. Thrash, Jr. on 3/9/2021. (dmb) (Entered: 03/25/2021)
03/25/2021		Submission of <u>1</u> Complaint to District Judge Timothy C. Batten Sr. (dmb) (Entered: 03/25/2021)
03/25/2021	<u>24</u>	APPLICATION for Admission of Ibrahim Reyes Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-10855498). with Brief In Support by L. Lin Wood, Jr. (Wood, L.) Documents for this entry are not available for viewing outside the courthouse. (Entered: 03/25/2021)
03/25/2021	<u>25</u>	APPLICATION for Admission of Larry Lamont Crain Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-10855503). with Brief In Support by L. Lin Wood, Jr. (Wood, L.) Documents for this entry are not available for viewing outside the courthouse. (Entered: 03/25/2021)
03/29/2021	<u>26</u>	MOTION to Disqualify Judge with Brief In Support by L. Lin Wood, Jr. (Wood, L.) (Entered: 03/29/2021)
03/29/2021		APPROVAL by Clerks Office re: <u>24</u> APPLICATION for Admission of Ibrahim Reyes Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-10855498). Attorney Ibrahim Reyes added appearing on behalf of L. Lin Wood, Jr. (cdg) Modified on 3/29/2021 to edit docket text(cdg). (Entered: 03/29/2021)
03/29/2021	<u>27</u>	MOTION for Preliminary Injunction by L. Lin Wood, Jr. (Wood, L.) (Entered: 03/29/2021)
03/29/2021		APPROVAL by Clerks Office re: <u>25</u> APPLICATION for Admission of Larry Lamont Crain Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-10855503). Attorney Larry L. Crain added appearing on behalf of L. Lin Wood, Jr. (cdg) Modified on 3/29/2021 to edit docket text. (Entered: 03/29/2021)
03/29/2021	<u>28</u>	NOTICE Of Filing Affidavit of L. Lin Wood, Jr. by L. Lin Wood, Jr re <u>27</u> MOTION for Preliminary Injunction (Attachments: # <u>1</u> Affidavit Affidavit of L. Lin Wood, Jr., # <u>2</u> Exhibit Exhibit A to Affidavit of L. Lin Wood)(Wood, L.) (Entered: 03/29/2021)
03/29/2021	<u>29</u>	NOTICE Of Filing Memorandum in Support by L. Lin Wood, Jr re <u>27</u> MOTION for Preliminary Injunction (Attachments: # <u>1</u> Brief Memorandum in Support of Motion for Preliminary Injunction)(Wood, L.) (Entered: 03/29/2021)
03/29/2021	<u>30</u>	NOTICE Of Filing Appendix of Exhibits in Support of Motion for Preliminary Injunction by L. Lin Wood, Jr re <u>27</u> MOTION for Preliminary Injunction (Attachments: # <u>1</u> Appendix Vol. 1, # <u>2</u> Appendix Vol. 2, # <u>3</u> Appendix Vol. 3)(Wood, L.) (Entered: 03/29/2021)
03/30/2021	<u>31</u>	NOTICE Of Filing Amended Affidavit of L. Lin Wood by L. Lin Wood, Jr re <u>27</u> MOTION for Preliminary Injunction (Attachments: # <u>1</u> Affidavit of L. Lin Wood (Amended), # <u>2</u> Exhibit A to Affidavit of L. Lin Wood)(Wood, L.)

		(Entered: 03/30/2021)
03/31/2021		MINUTE ORDER granting <u>24</u> and <u>25</u> Application for Admission Pro Hac Vice. Entered by CRD at the direction of Judge Timothy C. Batten, Sr. If the applicant does not have CM/ECF access in the Northern District of Georgia already, they must request access at http://pacer.gov . If they have electronically filed in this district in a previous case, please omit this step.(usw) (Entered: 03/31/2021)
03/31/2021		Submission of <u>27</u> MOTION for Preliminary Injunction , <u>26</u> MOTION to Disqualify Judge , to District Judge Timothy C. Batten Sr.. (dmb) (Entered: 03/31/2021)
04/15/2021	<u>32</u>	WAIVER OF SERVICE Returned Executed by L. Lin Wood, Jr. All Defendants. (Wood, L.) (Entered: 04/15/2021)
04/22/2021	<u>33</u>	MOTION to Expedite CONSIDERATION OF MOTION FOR JUDICIAL DISQUALIFICATION AND/OR RECUSAL OF THE DISTRICT JUDGE ASSIGNED TO THE CASE with Brief In Support by L. Lin Wood, Jr. (Attachments: # <u>1</u> Exhibit A – Letter from Steinmetz to Wood)(Wood, L.) (Entered: 04/22/2021)
05/03/2021	<u>34</u>	MOTION to Dismiss with Brief In Support by Patricia F. Ammari, Sherry Boston, Casey Carter Santas, Christopher Sutton Connelly, Connie S. Cooper, Kayla E. Cooper, Tomieka Daniel, Jennifer Elizabeth Dunlap, Elizabeth L. Fite, Paula J. Frederick, Michael Fuller, Sr, Melody Glouton, Jeffrey R. Harris, Ellissa B. Haynes, Dawn Jones, Elizabeth Pool O'Neal, Brandon L. Peak, David F. Richards, Margaret W. Sigman Puccini, Christian J. Steinmetz, III, Jennifer D. Ward. (Attachments: # <u>1</u> Exhibit A–Verified Complaint, # <u>2</u> Exhibit B–Revocation of Pro Hac Vice Admission DE, # <u>3</u> Exhibit C–Daily Beast Article with Wood Tweets Trumpist Lawyer Lin Wood Casually Suggests Chief Justice John R. Roberts is a Murderous Pedophile, # <u>4</u> Exhibit D–HRC Telegram Post, # <u>5</u> Exhibit E–Pence Telegram Post, # <u>6</u> Exhibit F–Scalia Telegram Post, # <u>7</u> Exhibit G–In Re Lin Wood–GA Supreme Court – Verified Petition for Stay of Bar Proceedings, # <u>8</u> Exhibit H–Wood–GA Supreme Court Dismissal, # <u>9</u> Text of Proposed Order I–Proposed Order)(Arndt, Patrick) (Entered: 05/03/2021)
05/03/2021	<u>35</u>	RESPONSE in Opposition re <u>27</u> MOTION for Preliminary Injunction filed by Patricia F. Ammari, Sherry Boston, Casey Carter Santas, Christopher Sutton Connelly, Connie S. Cooper, Kayla E. Cooper, Tomieka Daniel, Jennifer Elizabeth Dunlap, Elizabeth L. Fite, Paula J. Frederick, Michael Fuller, Sr, Melody Glouton, Jeffrey R. Harris, Ellissa B. Haynes, Dawn Jones, Elizabeth Pool O'Neal, Brandon L. Peak, David F. Richards, Margaret W. Sigman Puccini, Christian J. Steinmetz, III, Jennifer D. Ward. (Attachments: # <u>1</u> Exhibit A–Notice of Investigation to Wood–State Disciplinary Board grievance, # <u>2</u> Exhibit B–Grievance, # <u>3</u> Exhibit C–Verified Complaint, # <u>4</u> Exhibit D–Transcript of 2019–09–30 – Recorded Conversation, # <u>5</u> Exhibit E–Transcribed VM, # <u>6</u> Exhibit F–Transcribed VM 2020–02–17–07.27 am Voicemail, # <u>7</u> Exhibit G–Transcribed VM 2020–03–03–22.30 pm Voicemail, # <u>8</u> Exhibit H–Transcript of 2020–02–13–Recorded Conversation, # <u>9</u> Exhibit I–Email, # <u>10</u> Exhibit J–Revocation of Pro Hac Vice Admission DE, # <u>11</u> Exhibit K–Daily Beast Article with Wood Tweets Trumpist Lawyer Lin Wood Casually Suggests Chief Justice John Roberts is a Murderous Pedophile, # <u>12</u> Exhibit L–HRC Telegram Post, # <u>13</u> Exhibit M–Pence Telegram Post, # <u>14</u>

		Exhibit N–Scalia Telegram Post, # <u>15</u> Exhibit O–Frederick to Wood Requesting Consent to Confidential Evaluation 2.11.21, # <u>16</u> Exhibit P–Frederick 2–19–21 Letter to Wood re Extension)(Arndt, Patrick) (Entered: 05/03/2021)
05/03/2021	<u>36</u>	Certificate of Interested Persons by Patricia F. Ammari, Sherry Boston, Casey Carter Santas, Christopher Sutton Connelly, Connie S. Cooper, Kayla E. Cooper, Tomieka Daniel, Jennifer Elizabeth Dunlap, Elizabeth L. Fite, Paula J. Frederick, Michael Fuller, Sr, Melody Glouton, Jeffrey R. Harris, Ellissa B. Haynes, Dawn Jones, Elizabeth Pool O'Neal, Brandon L. Peak, David F. Richards, Margaret W. Sigman Puccini, Christian J. Steinmetz, III, Jennifer D. Ward. (Arndt, Patrick) (Entered: 05/03/2021)
05/03/2021	<u>37</u>	RESPONSE re <u>26</u> MOTION to Disqualify Judge <i>and/or Recusal</i> filed by Patricia F. Ammari, Sherry Boston, Casey Carter Santas, Christopher Sutton Connelly, Connie S. Cooper, Kayla E. Cooper, Tomieka Daniel, Jennifer Elizabeth Dunlap, Elizabeth L. Fite, Paula J. Frederick, Michael Fuller, Sr, Melody Glouton, Jeffrey R. Harris, Ellissa B. Haynes, Dawn Jones, Elizabeth Pool O'Neal, Brandon L. Peak, David F. Richards, Margaret W. Sigman Puccini, Christian J. Steinmetz, III, Jennifer D. Ward. (Arndt, Patrick) (Entered: 05/03/2021)
05/03/2021	<u>38</u>	ORDER Setting Hearing on Motion <u>34</u> MOTION to Dismiss, <u>33</u> MOTION to Expedite CONSIDERATION OF MOTION FOR JUDICIAL DISQUALIFICATION AND/OR RECUSAL OF THE DISTRICT JUDGE ASSIGNED TO THE CASE, <u>27</u> MOTION for Preliminary Injunction, <u>26</u> MOTION to Disqualify Judge: Motion Hearing set for 5/13/2021 at 10:00 AM in ATLA Courtroom 2106 before Judge Timothy C. Batten Sr. Plaintiff is directed to file his reply briefs in support of his motion to Preliminary Injunction and Motion for Disqualification by 5/7/2021 at 5:00pm and his response to the Motion to Dismiss by 5/10/2021 at 9:00am. Defendant shall file the reply brief by 5/12/2021 at 9:00am. Signed by Judge Timothy C. Batten, Sr. on 5/3/2021. (dmb) (Entered: 05/04/2021)
05/04/2021		Clerks Notation re <u>36</u> Certificate of Interested Persons. Reviewed and approved by Judge Timothy C. Batten, Sr. (usw) (Entered: 05/04/2021)
05/05/2021	<u>39</u>	MOTION for Reconsideration re <u>38</u> Order Setting Hearing on Motion,, with Brief In Support by L. Lin Wood, Jr. (Attachments: # <u>1</u> Exhibit A – Email)(Wood, L.) (Entered: 05/05/2021)
05/06/2021	<u>40</u>	ORDER denying <u>39</u> Motion for Reconsideration. Signed by Judge Timothy C. Batten, Sr. on 5/6/2021. (dmb) (Entered: 05/06/2021)
05/07/2021	<u>41</u>	NOTICE of Appearance by Robert L. Goldstucker on behalf of Patricia F. Ammari, Sherry Boston, Casey Carter Santas, Christopher Sutton Connelly, Connie S. Cooper, Kayla E. Cooper, Tomieka Daniel, Jennifer Elizabeth Dunlap, Elizabeth L. Fite, Paula J. Frederick, Michael Fuller, Sr, Melody Glouton, Jeffrey R. Harris, Ellissa B. Haynes, Dawn Jones, Elizabeth Pool O'Neal, Brandon L. Peak, David F. Richards, Margaret W. Sigman Puccini, Christian J. Steinmetz, III, Jennifer D. Ward (Goldstucker, Robert) (Entered: 05/07/2021)
05/07/2021	<u>42</u>	REPLY to Response to Motion re <u>26</u> MOTION to Disqualify Judge filed by L. Lin Wood, Jr. (Attachments: # <u>1</u> Exhibit A – Email)(Wood, L.) (Entered: 05/07/2021)

05/07/2021	<u>43</u>	REPLY to Response to Motion re <u>27</u> MOTION for Preliminary Injunction filed by L. Lin Wood, Jr. (Attachments: # <u>1</u> Exhibit A – State Bar Letter 02.11.2021, # <u>2</u> Exhibit B – AJC Article, # <u>3</u> Exhibit C – State Bar Warning to Filers, # <u>4</u> Exhibit D – Closing of Grievances of Out of State Filers, # <u>5</u> Exhibit E – Judge Karsnitz Order, # <u>6</u> Exhibit F – Governor Kemp on New Election Laws, # <u>7</u> Exhibit G – ABA Journal Article, # <u>8</u> Exhibit H – Order Dismissing Petition for Stay)(Wood, L.) (Entered: 05/07/2021)
05/10/2021	<u>44</u>	RESPONSE re <u>34</u> MOTION to Dismiss filed by L. Lin Wood, Jr. (Attachments: # <u>1</u> Exhibit A – Order)(Wood, L.) (Entered: 05/10/2021)
05/10/2021		Submission of <u>27</u> MOTION for Preliminary Injunction , <u>26</u> MOTION to Disqualify Judge to District Judge Timothy C. Batten Sr. (dmb) (Entered: 05/10/2021)
05/10/2021	<u>45</u>	ORDER denying as moot <u>33</u> Motion to Expedite; denying <u>26</u> Motion to Disqualify Judge. Signed by Judge Timothy C. Batten, Sr. on 5/10/2021. (dmb) (Entered: 05/10/2021)
05/10/2021	<u>46</u>	NOTICE OF APPEAL as to <u>40</u> Order on Motion for Reconsideration, <u>45</u> Order on Motion to Expedite, Order on Motion to Disqualify Judge by L. Lin Wood, Jr. Filing fee \$ 505, receipt number AGANDC-10962560. Transcript Order Form due on 5/24/2021 (Wood, L.) (Entered: 05/10/2021)
05/10/2021	<u>47</u>	NOTICE Of Filing by L. Lin Wood, Jr re <u>44</u> Response to Motion (Attachments: # <u>1</u> Brief Plaintiff's Corrected Response to Defendants' Motion to Dismiss)(Wood, L.) (Entered: 05/10/2021)
05/10/2021	<u>48</u>	USCA Appeal Transmission Letter to 11th Circuit re: <u>46</u> Notice of Appeal, filed by L. Lin Wood, Jr. (pjm) (Entered: 05/10/2021)
05/10/2021	<u>49</u>	Transmission of Certified Copy of Notice of Appeal, USCA Appeal Fees, Orders and Docket Sheet to US Court of Appeals re: <u>46</u> Notice of Appeal. (pjm) (Entered: 05/10/2021)
05/10/2021	<u>50</u>	MOTION to Continue <i>Hearing</i> by L. Lin Wood, Jr. (Attachments: # <u>1</u> Exhibit A – Lab Results, # <u>2</u> Exhibit B – Affidavit of L. Lin Wood)(Wood, L.) (Entered: 05/10/2021)
05/11/2021	<u>51</u>	ORDER granting <u>50</u> Motion to Stay the hearing currently scheduled for 5/13/2021. The Court will reschedule the hearing at a later date. Signed by Judge Timothy C. Batten, Sr. on 5/11/2021. (dmb) (Entered: 05/11/2021)
05/12/2021	<u>52</u>	REPLY BRIEF re <u>34</u> MOTION to Dismiss filed by Patricia F. Ammari, Sherry Boston, Casey Carter Santas, Christopher Sutton Connelly, Connie S. Cooper, Kayla E. Cooper, Tomieka Daniel, Jennifer Elizabeth Dunlap, Elizabeth L. Fite, Paula J. Frederick, Michael Fuller, Sr, Melody Glouton, Jeffrey R. Harris, Ellissa B. Haynes, Dawn Jones, Elizabeth Pool O'Neal, Brandon L. Peak, David F. Richards, Margaret W. Sigman Puccini, Christian J. Steinmetz, III, Jennifer D. Ward. (Arndt, Patrick) (Entered: 05/12/2021)
05/17/2021	<u>53</u>	USCA Acknowledgment of <u>46</u> Notice of Appeal, filed by L. Lin Wood, Jr. CaseAppealed to USCA- 11th Circuit. Case Number 21-11649-JJ. (pjm) (Entered: 05/17/2021)
05/17/2021		

		Pursuant to F.R.A.P.11(c), the Clerk certifies that the record is complete for purposes of this appeal, <u>46</u> Notice of Appeal. CaseAppealed to USCA- 11th Circuit. Case Number 21-11649-JJ. The entire record on appeal is available electronically. (pjm) (Entered: 05/17/2021)
05/18/2021	<u>54</u>	MOTION to Stay <i>Discovery and Preliminary Obligations</i> by Patricia F. Ammari, Sherry Boston, Casey Carter Santas, Christopher Sutton Connelly, Connie S. Cooper, Kayla E. Cooper, Tomieka Daniel, Jennifer Elizabeth Dunlap, Elizabeth L. Fite, Paula J. Frederick, Michael Fuller, Sr, Melody Glouton, Jeffrey R. Harris, Ellissa B. Haynes, Dawn Jones, Elizabeth Pool O'Neal, Brandon L. Peak, David F. Richards, Margaret W. Sigman Puccini, Christian J. Steinmetz, III, Jennifer D. Ward. (Attachments: # <u>1</u> Exhibit A–Proposed Order on Defendants' Motion to Stay Discovery and Preliminary Obligations)(Arndt, Patrick) (Entered: 05/18/2021)
06/02/2021	<u>55</u>	Initial Disclosures by Patricia F. Ammari, Sherry Boston, Casey Carter Santas, Christopher Sutton Connelly, Connie S. Cooper, Kayla E. Cooper, Tomieka Daniel, Jennifer Elizabeth Dunlap, Elizabeth L. Fite, Paula J. Frederick, Michael Fuller, Sr, Melody Glouton, Jeffrey R. Harris, Ellissa B. Haynes, Dawn Jones, Elizabeth Pool O'Neal, Brandon L. Peak, David F. Richards, Margaret W. Sigman Puccini, Christian J. Steinmetz, III, Jennifer D. Ward. (Attachments: # <u>1</u> Exhibit A–Names, Addresses & Telephone Nos of Individuals Likely to Have Discoverable Information, # <u>2</u> Exhibit B–Defs' Documents to Support its Defenses, # <u>3</u> Exhibit C–Insurance Policies)(Goldstucker, Robert) (Entered: 06/02/2021)
06/02/2021	<u>56</u>	JOINT PRELIMINARY REPORT AND DISCOVERY PLAN filed by L. Lin Wood, Jr. (Wood, L.) (Entered: 06/02/2021)
06/03/2021	<u>57</u>	Initial Disclosures by L. Lin Wood, Jr. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Wood, L.) (Entered: 06/03/2021)
06/03/2021	<u>58</u>	Request for Leave of Absence for the following date(s): July 12 – July 19, 2021, August 24 – August 27, 2021, October 13 – October 15, 2021, November 18 – November 19, 2021, by Patrick Nish Arndt. (Arndt, Patrick) (Entered: 06/03/2021)
06/04/2021	<u>59</u>	SCHEDULING ORDER: re: <u>56</u> Joint Preliminary Report and Discovery Plan. The parties' request for an 8-month discovery track is GRANTED. Signed by Judge Timothy C. Batten, Sr. on 6/4/21. (rlb) (Entered: 06/04/2021)
06/07/2021		Submission of the <u>54</u> MOTION to Stay <i>Discovery and Preliminary Obligations</i> to District Judge Timothy C. Batten Sr. (aaq) (Entered: 06/07/2021)
06/08/2021	<u>60</u>	ORDER of USCA- 11th Circuit re: Writ of Mandamus: After careful review of the record, the motion for writ of mandamus filed by Petitioner L. Lin Wood is DENIED because the petitioner has not shown that "no other adequate means are available to remedy a clear usurpation of power or abuse of discretion by the district court," Carpenter v. Mohawk Industries, Inc., 541 F.3d 1048, 1055 (11th Cir. 2008) (quoting <i>In re Loudermilch</i> , 158 F.3d 1143, 1144 (11th Cir. 1998)), and because petitioner otherwise has not shown that its right to this drastic remedy is clear and indisputable, <i>Jackson v. Motel 6 Multipurpose, Inc.</i> , 130 F.3d 999, 1004 (11th Cir. 1997). BCG and BL (See attached order for complete text) (pjm) (Entered: 06/08/2021)

06/08/2021	<u>61</u>	NOTICE to Take Deposition of Hon. Timothy C. Batten and Paula J. Frederick filed by L. Lin Wood, Jr (Reyes, Ibrahim) (Entered: 06/08/2021)
06/09/2021	<u>62</u>	MOTION for Protective Order <i>Emergency Motion for Protective Order</i> by Patricia F. Ammari, Sherry Boston, Casey Carter Santas, Christopher Sutton Connelly, Connie S. Cooper, Kayla E. Cooper, Tomieka Daniel, Jennifer Elizabeth Dunlap, Elizabeth L. Fite, Paula J. Frederick, Michael Fuller, Sr, Melody Glouton, Jeffrey R. Harris, Ellissa B. Haynes, Dawn Jones, Elizabeth Pool O'Neal, Brandon L. Peak, David F. Richards, Margaret W. Sigman Puccini, Christian J. Steinmetz, III, Jennifer D. Ward. (Attachments: # <u>1</u> Exhibit A--SBGA Defendants' Motion to Dismiss 11th Circuit Appeal, # <u>2</u> Exhibit B--Wood's 11th C. Petition for Writ of Mandamus or Prohibition, # <u>3</u> Exhibit C--Order Denying Petition for Writ of Mandamus, # <u>4</u> Exhibit D--NOD Paula J. Frederick, # <u>5</u> Exhibit E--Subpoena Hon Timothy C. Batten, # <u>6</u> Exhibit F--Proposed Order on Emergency Motion for Protective Order)(Goldstucker, Robert) (Entered: 06/09/2021)
06/09/2021	<u>63</u>	ORDER granting <u>34</u> Motion to Dismiss ; denying as moot <u>54</u> Motion to Stay; and <u>27</u> Motion for Preliminary Injunction. The Clerk is directed to close the case. Signed by Judge Timothy C. Batten, Sr. on 6/9/2021. (dmb) (Entered: 06/09/2021)
06/09/2021	<u>64</u>	CLERK'S JUDGMENT (dmb)--Please refer to http://www.ca11.uscourts.gov to obtain an appeals jurisdiction checklist-- (Entered: 06/09/2021)
06/09/2021		Civil Case Terminated. (dmb) (Entered: 06/09/2021)
06/09/2021	<u>65</u>	NOTICE OF APPEAL as to <u>63</u> Order on Motion to Dismiss, Order on Motion to Stay, Order on Motion for Preliminary Injunction by L. Lin Wood, Jr. Transcript Order Form due on 6/23/2021 (Wood, L.) (Entered: 06/09/2021)
06/10/2021	<u>66</u>	USCA Appeal Transmission Letter to 11th Circuit re: <u>65</u> Notice of Appeal filed by L. Lin Wood, Jr. (pjm) (Entered: 06/10/2021)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

L. LIN WOOD, JR.,

Plaintiff,

v.

PAULA J. FREDERICK, et al.,

Defendants.

CIVIL ACTION FILE

NO. 1:21-cv-1169-TCB

O R D E R

I. Background

Plaintiff L. Lin Wood, Jr. is a lawyer and a member of the State Bar of Georgia. On February 11, 2021, the State Bar sent Wood a notice of investigation of a grievance against him. The State Bar sent Wood written correspondence requesting that, a part of the investigation, he consent to a confidential evaluation by a mental health professional.

On March 23, Wood filed this action against Defendants, all members or otherwise affiliated with the State Bar of Georgia, and most of whom are members of the State Bar's State Disciplinary Board.

He seeks—in relevant part—an injunction enjoining Defendants from “requir[ing] him to undergo a medical, mental, psychiatric, or psychological examination[;]” a declaration that Defendants’ alleged “actions in requiring the Plaintiff to consent to a medical, mental, psychiatric or psychological examination to be a violation of his constitutional rights[;]” and compensatory damages “in excess of \$75,000.” [1] at 37–38.

Wood filed a motion [26] to disqualify and a motion [27] for a preliminary injunction. Defendants then filed a motion [34] to dismiss. The Court set the motion to dismiss and motion for a preliminary injunction for a hearing, then denied Wood’s motion to disqualify. Before the hearing was held, Wood appealed the motion to disqualify. The Court then granted Wood’s motion to stay.

On June 8, the Eleventh Circuit denied Wood’s petition for a writ of mandamus and stated that no further action would be taken. The motion to dismiss is therefore ripe for review.

II. Legal Standard

Federal Rule of Civil Procedure 8(a)(2) requires that a complaint provide “a short and plain statement of the claim showing that the pleader is entitled to relief[.]” This pleading standard does not require “detailed factual allegations,” but it does demand “more than an unadorned, the-defendant-unlawfully-harmed-me accusation.”

Chaparro v. Carnival Corp., 693 F.3d 1333, 1337 (11th Cir. 2012) (quoting *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)).

Under Rule 12(b)(6), a plaintiff must plead “enough facts to state a claim to relief that is plausible on its face.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007); *Chandler v. Sec'y of Fla. Dep't of Transp.*, 695 F.3d 1194, 1199 (11th Cir. 2012) (quoting *id.*). The Supreme Court has explained this standard as follows:

A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged. The plausibility standard is not akin to a “probability requirement,” but it asks for more than a sheer possibility that a defendant has acted unlawfully.

Iqbal, 556 U.S. at 678 (citation omitted) (quoting *Twombly*, 550 U.S. at 556); *see also Resnick v. AvMed, Inc.*, 693 F.3d 1317, 1324–25 (11th Cir. 2012).

Thus, a claim will survive a motion to dismiss only if the factual allegations in the complaint are “enough to raise a right to relief above the speculative level” *Twombly*, 550 U.S. at 555–56 (citations omitted). “[A] formulaic recitation of the elements of a cause of action will not do.” *Id.* at 555 (citation omitted). While all well-pleaded facts must be accepted as true and construed in the light most favorable to the plaintiff, *Powell v. Thomas*, 643 F.3d 1300, 1302 (11th Cir. 2011), the Court need not accept as true the plaintiff’s legal conclusions, including those couched as factual allegations, *Iqbal*, 556 U.S. at 678. Thus, evaluation of a motion to dismiss requires two steps: (1) eliminate any allegations in the pleading that are merely legal conclusions, and (2) where there are well-pleaded factual allegations, “assume their veracity and then determine whether they plausibly give rise to an entitlement to relief.” *Iqbal*, 556 U.S. at 679.

III. Discussion

Defendants contend that this action should be dismissed pursuant to *Younger v. Harris*, 401 U.S. 37 (1971). In *Younger*, the Supreme Court noted that—with few exceptions—state courts should be free to try state cases without interference from the federal courts. Attorney disciplinary matters are the types of proceedings that give rise to *Younger* abstention. *Middlesex Cnty. Ethics Comm. v. Garden State Bar Ass'n*, 457 U.S. 423 (1982). Thus, the Court should abstain from hearing Wood's action if (1) state proceedings are currently pending; (2) the proceedings involve an important state interest; and (3) the state proceedings will provide Wood with an adequate opportunity to raise his constitutional claims. *See id.* at 432. Because Wood appears to concede the second factor, the Court's analysis will focus on the first and third.

Clearly, there is a grievance proceeding in the State Bar against Wood. Wood argues that because he filed this action before there was a finding of probable cause against him, this factor is not satisfied. However, he cites no law to support his contention that a probable

cause finding is required for abstention or that abstention is not required during an investigatory phase of a proceeding. In fact, both law and logic dictate that abstention is appropriate during the investigatory phase. *See, e.g., Parker v. Jud. Inquiry Comm'n of the State of Ala.*, 212 F. Supp. 3d 1171, 1179–82 (M.D. Ala. 2016).

Wood also argues that the first factor is not satisfied because he does not seek to enjoin the state disciplinary proceedings against him. However, his claim would effectively enjoin those proceedings, meaning that the *Younger* doctrine applies. *See Old Republic Union Ins. Co. v. Tillis Trucking Co.*, 124 F.3d 1258, 1261–62 (11th Cir. 1997); *see also Henry v. Fla. Bar*, 701 F. App'x 878, 882 (11th Cir. 2017) (“The first factor is met when a state proceeding is ongoing and the relief sought by the plaintiff would interfere with the state proceeding. The plaintiff's requested relief can interfere with the state proceeding if it would disrupt the normal course of action in the state proceeding, even if the relief sought would not terminate an ongoing proceeding.” (citations omitted)).

With respect to the third factor, Wood argues that there is no opportunity in a state forum for him to raise his constitutional concerns. However, Georgia Bar Rule 4-218 provides that he will have an opportunity to raise these concerns if probable cause is found and his disciplinary matter proceeds to public proceedings.¹

Nor is the Court persuaded by Wood's argument that the bad-faith exception to *Younger* applies here. A proceeding is initiated in bad faith if it is brought without a reasonable expectation of obtaining a valid conviction. *Redner v. Citrus Cnty.*, 919 F.2d 646, 650 (11th Cir. 1990). Wood bears the burden with respect to this exception. *Juidice v. Vail*, 430 U.S. 327, 338 (1977). The bad faith exception requires a substantial allegation that shows actual bad faith. *See Younger*, 401 U.S. at 48. When a state bar has “ample evidence” of conduct warranting a proceeding before initiating a proceeding, that exception does not apply.

¹ *Berry v. Schmitt*, 688 F.3d 290 (6th Cir. 2012), on which Wood relies, is distinguishable. The relief sought would not have stopped ongoing state court proceedings and was decided based on *Rooker-Feldman*, not *Younger* abstention. And the Georgia Supreme Court's recent order denying Wood's request for a stay does not mean that court was denying it has jurisdiction over disciplinary matters. That order merely denied the particular relief Wood sought.

Chestnut v. Canady, No. 20-12000, 2021 WL 1661215, at *3 (11th Cir. Apr. 28, 2021). The Court concludes that Wood has not made a substantial allegation of bad faith that would overcome *Younger* abstention.

Wood's argument that he did not receive due process before the request for a mental health examination does not overcome *Younger* abstention. He cites no law to support the proposition that he has a property right not to be asked to consent to a mental health evaluation. And, as Defendants point out, he has been provided a notice of the claims against him and will have an opportunity to defend himself and raise any constitutional issues before any public discipline is imposed.

Any argument of a “chilling effect” on First Amendment rights does not suffice to overcome *Younger* abstention. *Butler v. Ala. Jud. Inquiry Comm'n*, 245 F.3d 1257, 1265 (11th Cir. 2001). And the fact that Wood disputes the allegations against him does not overcome *Younger* abstention. *Thompson v. Fla. Bar*, 526 F. Supp. 2d 1264, 1278 (S.D. Fla. 2007) (citing *Crenshaw v. Sup. Ct. of Ind.*, 170 F.3d 725, 729 (7th Cir. 1999)).

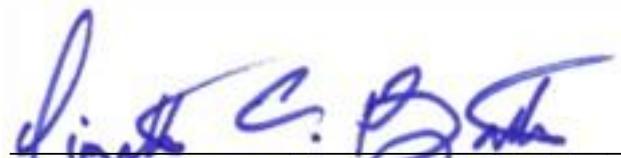
The Court is therefore required under *Younger* to abstain from hearing Wood's claims.

Even if it were not, the Court would lack subject-matter jurisdiction over Wood's claims because any case challenging the action or inaction of the State Bar or any person in connection with a disciplinary proceeding can be brought only before the Supreme Court of Georgia. *Arroyo v. Colbert*, No. 1:18-cv-848-SCJ, 2018 WL 10510870, at *2 (N.D. Ga. Mar. 29, 2018). Wood's claims are subject to dismissal for this additional reason.

IV. Conclusion

For the foregoing reasons, Defendants' motion [34] to dismiss is granted. Wood's motion [27] for a preliminary injunction is denied as moot; the motion [54] to stay is also moot. The Clerk is directed to close this case.

IT IS SO ORDERED this 9th day of June, 2021.



Timothy C. Batten, Sr.
Chief United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

L. LIN WOOD, JR.,

Plaintiff,

vs.

PAULA J. FREDERICK, CONNIE S. COOPER,
JEFFREY R. HARRIS, CASEY CARTER
SANTAS, PATRICIA F. AMMARI, KAYLA E.
COOPER, ELIZABETH L. FITE, ELLISSA B.
HAYNES, MARGARET W. SIGMAN PUCCINI,
SHERRY BOSTON, ELIZABETH POOL O'NEAL,
DAVID F. RICHARDS, JENNIFER D. WARD,
MICHAEL FULLER, SR., JENNIFER ELIZABETH
DUNLAP, CHRISTIAN J. STEINMETZ, III,
BRANDON L. PEAK, TOMIEKA DANIEL,
CHRISTOPHER SUTTON CONNELLY, MELODY
GLOUTON, AND DAWN JONES,

Defendants.

CIVIL ACTION FILE

NO. 1:21-cv-1169-TCB

JUDGMENT

This action having come before the court, Honorable Timothy C. Batten, Sr., United States District Judge, for consideration of defendants motion to dismiss, and the court having granted said motion, it is

Ordered and Adjudged that the action be, and the same hereby is, dismissed.

Dated at Atlanta, Georgia, this 9th day of June, 2021.

JAMES N. HATTEN
CLERK OF COURT

By: s/ D. Barfield
Deputy Clerk

Prepared, Filed, and Entered
in the Clerk's Office
June 9, 2021
James N. Hatten
Clerk of Court

By: s/ D. Barfield
Deputy Clerk

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

L. LIN WOOD, JR.,

Plaintiff,

**CASE NO. 21-11649
L.T. No. 1:21-cv-1169-TCB**

v.

PAULA J. FREDERICK, et al.,

Defendants.

/

PLAINTIFF'S AMENDED NOTICE OF APPEAL

Notice is hereby given that Plaintiff, L. LIN WOOD, JR., pursuant to Federal Rule of Appellate Procedure 4, amends the notice of appeal filed on May 10, 2021 and hereby appeals to the United States Court of Appeals for the Eleventh Circuit from a Final Order dated June 9, 2021 [DE 63], denying Plaintiff's motion for a preliminary injunction [DE 27] and further, dismissing Plaintiff's Complaint.

Respectfully submitted,

By: /s/ L. Lin Wood, Jr.
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*Counsel for the Plaintiff
(Pro Hac Vice)*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been electronically filed with this Court via CM/ECF and was furnished on June 9, 2021 to all counsel of record on the service list via transmission of Notice of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive notices of filings electronically.

/s/ L. Lin Wood, Jr.
L. LIN WOOD, JR., Esq.